S/S German Hill Road, 186.15' W of the c/l West Woodwell Road (221 German Hill Road) 12th Election District 7th Councilmanic District Michael Brune Petitioner

IN RE: PETITION FOR ADMIN. VARIANCE

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 99-438-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owner of the subject property, Michael Brune. The Petitioner seeks relief from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 18 feet in lieu of the required front average of 24 feet for a proposed addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief

MILLER FREGEWEYFOR FILING

THE WEST WEDON FILMS

requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of June, 1999 that the Petition for Administrative Variance seeking relief from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 18 feet in lieu of the required front average of 24 feet for a proposed addition., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

June 11, 1999

Mr. Michael Brune 221 German Hill Road Baltimore, Maryland 21222

RE: PETITION FOR ADMINISTRATIVE VARIANCE

S/S German Hill Road, 186.15' W of the c/l West Woodwell Road

(221 German Hill Road)

12th Election District – 7th Councilmanic District

Michael Brune - Petitioner

Case No. 99-438-A

Dear Mr. Brune:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bis

cc: People's Counsel; Case/File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

WARY LED			201	<i>C</i>	11-11	$\mathcal{P}_{\mathbf{a}}$
	for the pro	perty located	at 221	GEPANAN	-	
		wi	nich is prese	ntly zoned	<u>DR</u>	5-5
This Petition shall be filed with the D owner(s) of the property situate in Baltim made a part hereof, hereby petition for a FRONT MARD A SETBALL of 18ft. 24ft. FOR A LIVING	variance from	Section(s) 3 (53. / 1. R	120 T	0 05	emiT
of the zoning regulations of Baltimore Co of this petition form.						
Property is to be posted and advertised a l, or we, agree to pay expenses of above Va regulations and restrictions of Baltimore Cou	riance, advertisin	g, posting, etc. ar uant to the zoning	id further agree law for Baltim	e to and are to ore County. are and affirm,		_
		perjury,	that I/we are t ubject of this P	he legal owner	(s) of the p	roperty which
Contract Purchaser/Lessee:		<u>Legal</u>	Owner(s):)		
Name - Type or Print		Name -	Type or Print	DEUNG DEUNG		
Signature	<u> </u>	Signatur	e e			
Address	Telephone No.	Name -	Type or Print			o - igl-7800
City State	Zip Code	•				
Attorney For Petitioner:		Address				7.285-865 Telephone No.
Name - Type or Print		City	more	MANY	AND state	ZID Code
Signature		<u>Repre</u>	sentative to	be Contac	<u>ted:</u>	
Company	<u> </u>	Name		12	v	
Address City State State	Telephone No.	Address				Telephone No.
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day of the latting recently definition to the property of Baltimore County and that the property of the proper	at the subject matte	to be required, it is error of this petition be	s ordered by the set for a public i	e Zoning Commi nearing, advertise	ssioner of ted.	3altimore County, red by the zoning
99-438)	<u>.</u>		Zoning Commis	sioner of Baltim	ore County	
C CASE NO		Reviewed By _	Jun	<u> </u>		7-99
CASE NO. 99-4381		Estimated Pos	ting Date _		5-16	6 '99

Affidavit in Support of Administrative Variance

follows: I hat the information herein given is	enalties of perjury to the Zoning Commissioner of Baltimore County, as within the personal knowledge of the Affiant(s) and that Affiant(s) is/are ublic hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at	221 GERMAN HILL Rd
	BALTIMORE MARYLAND ZIZZZ City State Zip Code
Variance at the above address (indicate hardshi	wing are the facts upon which I/we base the request for an Administrative p or practical difficulty):
THE PROPERTY has	A B.R.L. & I would like to
HAVE THE ADDITIONAL	space for A Growing family.
That the Affiant(s) acknowledge(s) that if a fo advertising fee and may be required to provide a	rmal demand is filed, Affiant(s) will be required to pay a reposting and additional information.
Signature	Signature
MICHAEL BRUNE Name - Type or Print	Name - Type or Print
Hame - Type of Finit	Name - Type of Pfint
STATE OF MARYLAND, COUNTY OF BALTIM	IORE, to wit:
of Maryland, in and for the County aforesaid, per	poi 1999, before me, a Notary Public of the State rsonally appeared
YVIICHAEL BY	とういと factorily identified to me as such Affiant(s), and made oath in due form of
law that the matters and facts hereinabove set for	orth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	
4/11/99	
	gear ann Wilson.
Date	Notary Public My Commission Expires My Commission Expires My Commission Expires My Commission Expires June 2, 1999

REV 09/15/98

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	721 GERMAN HILL Rd
	Address BALTIMORE MACYLAND 21222 City State Zip Code
Variance at the above address (indicate hardship	wing are the facts upon which I/we base the request for an Administrative p or practical difficulty):
	3 A BRI. & I would like to
HAVETHE ADDITIONAL S	pace for A GROWING family.
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	rmal demand is filed, Affiant(s) will be required to pay a reposting and idditional information.
ani O	
Signature Nichael BRUNE	Signature
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIM	IORE, to wit:
of Maryland, in and for the County aforesaid, per	April 1999, before me, a Notary Public of the State
the Affiant(s) herein, personally known or satisf	actorily identified to me as such Affiant(s), and made oath in due form of
	orth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal 4/14/99	Gran an Wilson
7/16/99 Date	Notary Public Notary Public STATE OF MARYLAND
•	My Commission Expires



CASE NO.

REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 221 GERMAN HINRA which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 303.1; ECZR, TO PERMIT A FRONT YORD SETBACK OF 18 A. IN LIEN OF THE RECOURSED FRONT AVERAGE of Z4 A. FOR A LIVING ROOM Add ITION.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

		perjury, that I/we are t	the legal owner(s) of the	e penalties of property which
essee:		Legal Owner(s):		
		Michael	BRONE -	
		Name - Type or Print	76	***
		Signature		
	Telephone No.	Name - Type or Print		
State	Zip Code	Signature		0-686-7800
<u>er:</u>		2216CRMI Address	ANHILL RAWY	10-295-8656 Telephone No.
·		City City	MARY State	2 1222 Zip Code
		Representative to	o be Contacted:	
	<u></u>	Name) Ane	
	Telephone No.	Address		Telephone No.
State	Zip Code	City	State	Zip Code
th	iat the subject matter of th	required, it is ordered by the is petition be set for a public l	e Zoning Commissioner of hearing, advertised, as requ	Baltimore County, uired by the zoning
62.00		Zoing O	ooloos of Dalling on Co.	
	State State State formally deman thand that the prope	Telephone No. State Zip Code Telephone No. State Zip Code formally demanded and/or found to be that the subject matter of that the property be reposted.	perjury, that I/we are is the subject of this F Legal Owner(s): Mame - Type or Print Signature Telephone No. Name - Type or Print State Zip Code Signature ZZIGELMI Address Representative to Name Telephone No. Address State Zip Code City Representative to Name	Mame - Type or Print Signature Telephone No. Name - Type or Print State ZIGEMANHILL LINA Address Laltmark Representative to be Contacted: Name Telephone No. Address State Zip Code City State Representative to be Contacted: Name Telephone No. Address State Telephone No. Address Address State Telephone No. Address Address State Telephone No. Address Address

Estimated Posting Date

Zoning Description For 221 GermanHill Road

Beginning at a point on the South side of GermanHill
Road which is 50 feet wide at the distance of 186.15 feet
West of the centerline of the nearest improved intersecting
street, West Woodwell, which is 50 feet wide. Being
Lot #146, block - -, section # - -, in the subdivision of
Graymanor, as recorded in Baltimore County Plat Book #
12, Folio # 112, containing 7,000 square feet. Also known
as 221 GermanHill Road, located in the 12th Election
District, 7th Councilmanic District.

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ĵ ,	No. 067371	OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT

CERTIFICATE OF POSTING

RE: CASE # 99-438-A
PETITIONER/DEVELOPER:
(Michael Brune)
DATE OF Closing
(June1, 1999)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary

sign(s) required by law were posted conspicuously on the property located at

221 German Hill Road Baltimore, Maryland 21222______

The sign(s) were posted on_____ 5-14-99 _____

[Month, Day, Year]

Sincerely,
Ohomo Ode Stry 195
(Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road_
Baltimore, Maryland 21221
(410)-687-8405
(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number	99-	43	8	-A ⁻		Address	221	6-60	MAN	Hill	Ro.	
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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number:438
Petitioner: MICHAEL BRUNG
Address or Location: 221 GERMANHILL Rd
PLEASE FORWARD ADVERTISING BILL TO:
Name: Michael Brune
Address: 221 GERMAN Hill Rel
BALTO MD 21222
Telephone Number: 410-785-8656

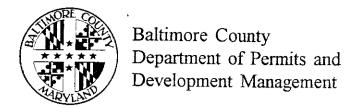
Revised 2/20/98 - SCJ

99.438.A -16

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Zoning Office USE ONLY! reviewed by: ITEM #: CASE#:	-	North
Chesapeake Bay Critical Area: 📋 🛄 Prior Zoning Hearings:		
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Lot size: acreage square feet		· _
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Election District: Councilmanic District:		_ t
LOCATION INFORMATION		
Vicinity Map		-
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riance Special Hearing	Plat to accompany Petition for Zoning Variance	Plat to

do Te

.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

June 2, 1999

Mr. Michael Brune 221 German Hill Road Baltimore, MD 21222

RE: Case No.: 99-438-A

Petitioner: Brune

Location: 221 German Hill Road

Dear Mr. Brune:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on May 5, 1999.

The Zoning Advisory Committee (ZAC), which consists representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

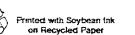
W. Carl Richards,

Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: June 1, 1999

Department of Permits & Development

Management

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

for June 1, 1999 Item Nos. 421, 426, 435, 436, 437,

438) 444, 445, 447, 448, 449, 450,

and 453

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: May 25, 1999

TO: Arnold Jablon, Director

Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s): Item No (s): 426, 435, 436, 437, 438, 439, 444, 445, 446, 448 and 455

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: Offy M. La

AFK/JL



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

June 2, 1999

Arnoli Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21304 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 24, 1999

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your reduest, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

416, 414, 435, 436, 437, 438, 433, 444, 445, 446, 447, 448, 449, 450, 451, 452, and 455

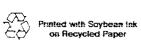
REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 387-4831, MS-1102F

cc: File









Parris N. Glendening Governor John D. Porcari Secretary Parker E. Williams Administrator

Date: 5.21.99

Ms. Gwen Stephens Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

Baltimore County

Item No. 438

JCM

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

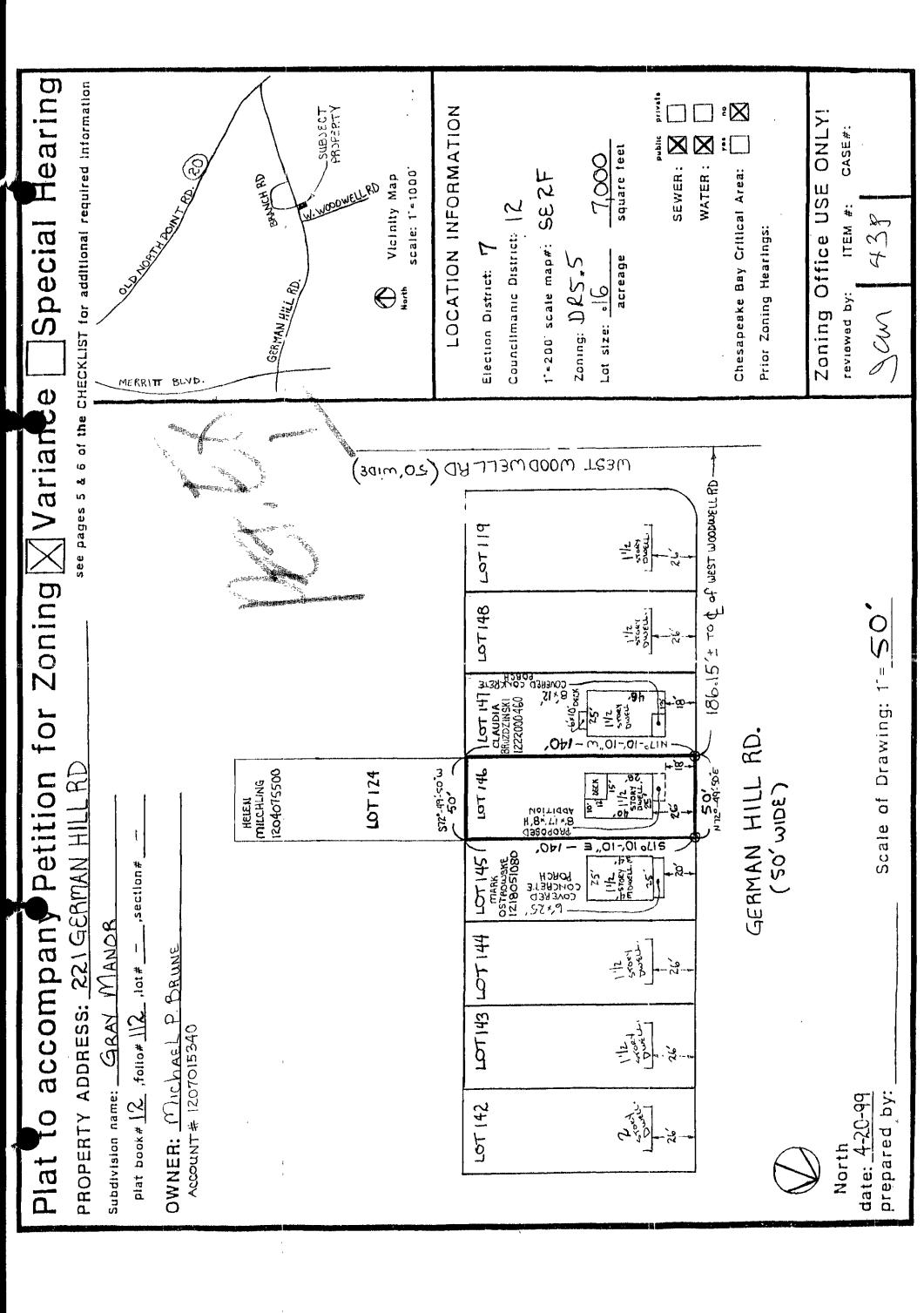
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Michael M. Lenhart, Chief

1. J. Dulle

Engineering Access Permits Division

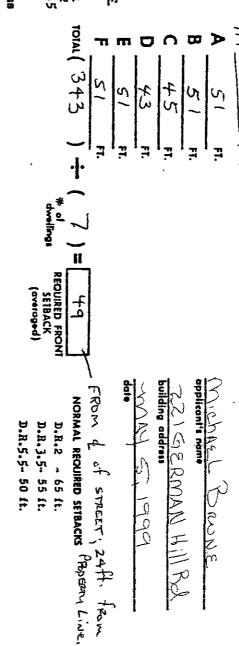


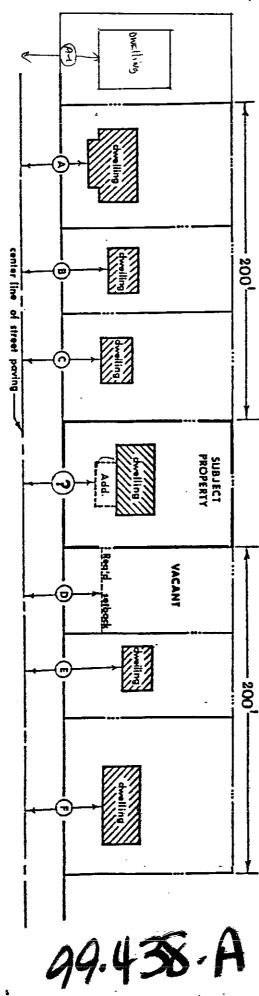
SITE PLAN TO BE USED IN DETERMINING FRONT YARD DEPTHS IN RESIDENCE ZONES

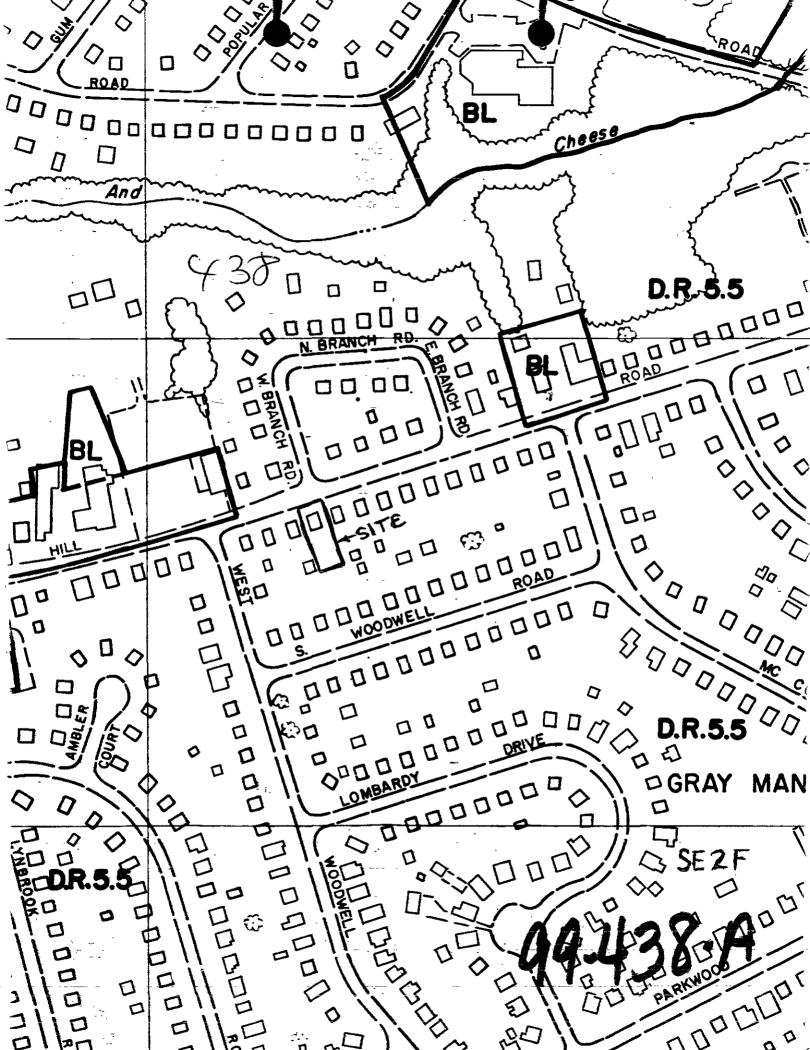
WHEN THE IMMEDIATE ADJOINING LOTS ARE NOT IMPROVED Reference - Section 303. 1 Baltimore County Zoning Regulations

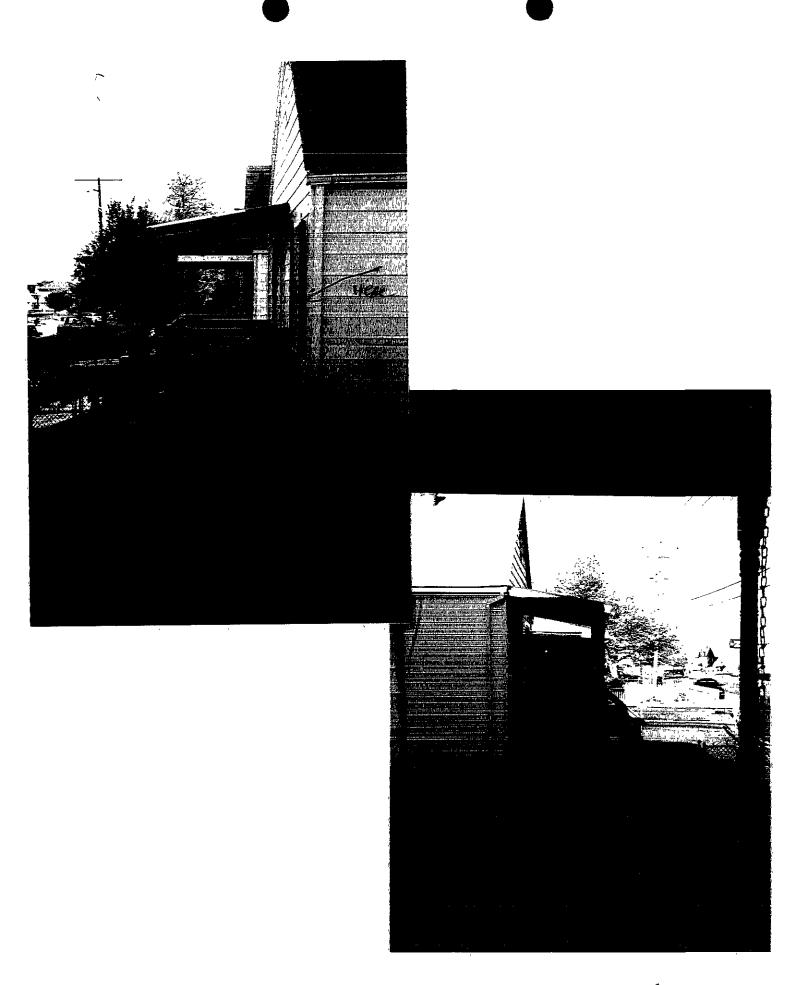
S

the joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of all improved lots within 200 feet on each side thereof, provided that no dwelling shall be required to be set back more than 60 feet in D.R.2. principal buildings have front yards of less depth each side provided such adjoining lots are improved yard depths of the lots immediately adjoining on hereafter erected shall be the average of the front front yard depth of any building or other structure than those specified therefrom in the area regulations zones, 50 feet in D.R. 3.5 zones and 40 feet in D.R. 5.5 with principal buildings situate within 200 feet of 303.1 -In D.R.2, D.R.3.5 and D.R.5.5 Zones the for D.H.2, D.H.3.5 and D.A.5.5 respectively. In no case, however, shall nonresidential









99-438-A



